

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JULY 20, 2010
7:07 P.M.**

ROLLCALL Answering rollcall were Members Bennett, Brindle, Housh, Swenson and Mayor Hovland.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Brindle and seconded by Member Housh approving the Council Consent Agenda with the exception of Items III.E., Award of Bid, Edinborough Park bathroom addition, and IV.I., Resolution No. 2010-64 authorizing condemnation of land for sidewalk purposes, France Avenue sidewalk Improvement No. S-101.

Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

LIBERTY MUTUAL FIRE MARK AWARD PRESENTED Fire Chief Scheerer stated Edina Fire Fighter and Paramedic, Brian Hanrahan, was being recognized because while off-duty, he responded to a pager call in April of 2010. Mr. Hanrahan conducted CPR on a neighbor and following defibrillation by the paramedics, his neighbor responded and survived. Chief Scheerer noted this was not the first time Mr. Hanrahan had responded while off-duty this past year. Adam Weinblatt, Liberty Mutual, presented Brian Hanrahan with the Fire Mark Award, recognizing his efforts that were above and beyond the line of duty. The Council and audience showed their appreciation by responding with a standing ovation.

***MINUTES APPROVED – REGULAR MEETING OF JULY 6, 2010, AND WORK SESSION OF JULY 6, 2010**
Motion made by Member Brindle and seconded by Member Housh approving the minutes of the regular meeting of July 6, 2010, and work session of July 6, 2010.

Motion carried on rollcall vote – five ayes.

PUBLIC HEARING HELD ON THE WATERS FINAL DEVELOPMENT PLAN AND FINAL REZONING – RESOLUTION NOS. 2010-61 AND 2010-62 ADOPTED – ORDINANCE NO. 850-A-34 GRANTED SECOND READING Affidavits of Notice presented and ordered placed on file.

City Planner Presentation

Assistant City Manager Worthington advised that Colonial Church had requested to develop the south parking lot and vacant wooded portion of their site located at 6200 Colonial Way to build a three-story, 139-unit senior convalescent home for The Waters Senior Living of Edina (The Waters). She presented the majority recommendation of the Planning Commission for approval of the final rezoning and final development plan for a senior assisted living facility proposed by the Colonial Church of Edina/The Waters of Edina, subject to the findings and conditions set forth in the staff report dated June 30, 2010.

Proponent Presentation

Jay Jensen, The Waters Senior Living, 1600 Hopkins Crossroads, Minnetonka, advised of their efforts to significantly redesign the proposed project in response to neighborhood input from four stories to three stories, reduced the number of units from 150 to 139 and the addition of a hip roof and

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indicated they were in agreement with the staff report and all proposed conditions established by the Planning Commission. He presented detailed renderings and a “fly over” that depicted the proposed project. Mr. Jensen advised that the market study results identified a need for 700 units of senior housing and 450 units of memory support housing. He detailed their rationale for choosing this well-located site, how the project would fit into the neighborhood, why people would move to this assisted living facility, and rationale for the number of units proposed. Mr. Jensen stated the proposed zoning only allows senior housing and no variances were being requested. If approved, affordable housing and park dedication issues would be addressed at a later time.

Dan Rectenwald, HGA, 5611 Sherwood Avenue, reviewed his Company’s past projects and discussed the intention to use architectural details from the existing Colonial Church, reduction of the proposed building’s scale, and how landscaping screening elements would create an enjoyable ambiance to the project.

Ted Yoch, representing Colonial Church, 6224 Braeburn Circle, thanked the Council for its work to make Edina a wonderful community and described the considerations made by the Colonial Committee in determining which senior housing development to pursue. Mr. Yoch requested the Council’s support for approval.

The Council reviewed approximate distances of senior housing from residences and asked questions of Mr. Jensen and staff. Mr. Rectenwald presented the exterior materials board and indicated it would be compatible with Colonial Church and in context with the neighborhood.

Opponent Presentation

John Harden, 5829 Jeff Place, representing the Countryside Neighborhood Coalition, presented the reasons the Coalition believed the Planning Commission’s recommendation should be set aside. Mr. Harden identified the legal issues as the Comprehensive Plan, zoning, spot zoning and precedent. He stated that the Coalition recognized Colonial Church’s right to develop its property, consistent with the City’s zoning code and compatible with the surrounding neighborhood. He read a statement from the RFP prepared by Colonial Church, noting it said nothing about a goal to enhance the City or neighborhood. Mr. Harden stated the Countryside neighborhood felt it had been “on trial” and their valid concerns been dismissed as opinions while the developer’s opinions were treated as fact. He presented the following points: most seniors stay in their homes as long as possible, based on their independent research, there was no proof that seniors would sell their homes to move into the proposed facility; if homes were needed for young families, the City should provide a process to build such homes; the proposed project would create more and dangerous traffic at this southern gateway entrance into the Countryside neighborhood of 2,000 homes; noise would be caused by delivery trucks, buses, medical vans, and ambulances; the transient population would be unstable for a residential neighborhood; the project should be located closer to services if approved; the park dedication fees should not be waived; and the proposed trees would take 20-30 years to mature and had no leaves seven months of the year. Mr. Harden addressed State statutes and City ordinances that regulate rezoning; stating why Countryside residents did not believe the Water’s application met the requirements for rezoning. He stated that the zoning category of adjacent property is a key consideration in evaluation of an application for rezoning. He cited a court ruling that rejected a proposed development based on the finding that residents had relied on zoning, in place for 35 years, when they purchased their homes. In addition, residents believed approval of this application would result in spot zoning, granting a discriminatory benefit, and would not be in compliance with the

Comprehensive Plan, which in their view was revised without a proper public process. The residents believed The Waters was actually rental apartments since it would not be licensed as a nursing convalescence home and as such would not be able to meet those parking requirements of Edina's Code. Mr. Harden concluded that the proposed development was not in character or symmetry with the neighborhood and that the partnership had failed to make a clear and convincing case that an exception should be made.

Jane Paulus, 5048 Logan Avenue S., commented on the importance of strict zoning to attract prospective buyers and neighborhood impact when local churches become metropolitan churches. She believed the decision being made by the Council was precedent setting for all Edina churches and urged the Council to carefully determine how the "dirt" of Edina would be used for its future, noting people were the City's number one resource, but they come and go.

Mayor Hovland indicated that one hour of public testimony would be entertained and opened the public hearing at 8:30 p.m.

Public Testimony

Robert Scroggins, 6256 Sandpiper Court, addressed the Council in support.

Barbara Griffiths, 5844 Creek Valley Road, addressed the Council in opposition.

Mike Lewis, 17496 Frondell Court, Eden Prairie, addressed the Council in support.

Christine Henniger, 5816 Jeff Place, addressed the Council in opposition.

Dave Andreasen, 5334 Red Fox Lane, addressed the Council in support.

Burton Shacter, 5800 Arbor Avenue, addressed the Council in opposition.

Stephen Richardson, 7068 Cahill Road, addressed the Council in support.

David Murphy, 4701 Annaway Drive, addressed the Council in support.

Rosemary Sundin, 5805 Tracy Avenue, addressed the Council in opposition.

Bert Ledder, 6709 Cheyenne Trail, addressed the Council in opposition.

Douglas Beardsley, 7715 Stonewood Court, addressed the Council in support.

Peggy Dodge, 6117 Sherman Circle, addressed the Council in opposition.

Ted Springer, 6300 Pheasant Court, addressed the Council in support.

Kent Gravelle, 5609 Tracy Avenue, addressed the Council in opposition.

Steve Williams, 4717 Aspasia Circle, addressed the Council in support.

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Susan Clark, 5812 West 61st Street, addressed the Council in opposition.

Glen Bruder, 6405 Cherokee Trail, addressed the Council in support.

Dr. Lawrence Kerzner, 5828 Jeff Place, addressed the Council in opposition.

Greg Anderson, 4212 Oakdale Avenue, addressed the Council in support.

David Henry, 5712 Creek Valley Road, addressed the Council in opposition.

Carol Rothe, 6105 Arbor Lane, addressed the Council in support.

The Council noted the allotted hour to accept public input had been surpassed, but consensus was reached to continue the open discourse.

Eileen O'Shaughnessy, 4216 Sunnyside Road, addressed the Council in opposition.

Nancy Frykman, 6028 Schaefer Road, addressed the Council in support.

Joe Lambrecht, 5324 Maddox Lane, addressed the Council in opposition.

David Williamson, 7913 Wyoming Court, Bloomington, addressed the Council in support.

Tim O'Shaughnessy, 6308 Valley View Road, addressed the Council in opposition.

Susan Shulze, 6800 Paiute Drive, addressed the Council in support.

John St. Pierre, 6005 Arbor Lane, addressed the Council in opposition.

Jerry Potter, 5025 West 60th Street, addressed the Council in support.

Jeanne St. Pierre, 6005 Arbor Lane, addressed the Council in opposition and read a letter from Stephen and Jessica Berg, 5828 Olinger Road, in opposition.

Ron Randall, 5565 West 70th Street, addressed the Council in support.

Mary McDonald, 6216 Belmore Lane, addressed the Council in opposition.

Eric Hansen, 5212 Glengarry Parkway, addressed the Council in support.

Michelle Johnson, 5045 Yvonne Terrace, addressed the Council in opposition.

Gene Holderness, 6807 Dovre Drive, addressed the Council in support.

Dadi Setiadi, 5841 Jeff Place, addressed the Council in opposition.

Bob Shulze, 6800 Paiute Trail, addressed the Council in support.

Gayle Gaumer, 5209 Lochloy Drive, addressed the Council in opposition.

Michael Hime, 5300 Chantrey Road, addressed the Council in support.

Kevin McCoy, 5809 Jeff Place, addressed the Council in opposition.

James Foster, 4707 Sunnyside Road, addressed the Council in support.

Barbara Hoganson, 5829 Jeff Place, addressed the Council in opposition.

Sharon Allemong, 6328 Falcon Court, addressed the Council in support.

Dorothy Kerzner, 5828 Jeff Place, addressed the Council in opposition.

Member Bennett made a motion, seconded by Member Housh, to close the public hearing.

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

The Council asked questions of staff regarding issues raised during public testimony, including the ability of The Waters to rent to residents under 55 years of age, which would increase the need for parking; and the validity of case law citations used. Attorney Knutson advised that some of the legal cases cited involved other issues, such as a variance request, and noted that in the last 30 years, no rezoning decision has been overturned based upon spot zoning. With regard to establishing a precedent, Attorney Knutson advised a legal precedent would not be established should this application receive approval. He continued, stating any property owner had the right to request a rezoning of the property they owned. The Council discussed the rezoning request and questioned the State licensing requirement. The proponents explained under Minnesota Statutes 144G, an assisted living building was registered with the Minnesota Department of Health as housing with services, and they had a license for a Class F home care agency to provide home care services to those living within a registered housing building.

The Council asked questions of Public Works Director/City Engineer Houle regarding infrastructure availability and he confirmed the existing utility and roadway systems were adequate for the proposed building. The Council also reviewed past discussion related to housing and desired neighborhood amenities. Mr. Hughes stated the final plat was being held until after the rezoning decision was rendered. The request for final plat would then be presented and the proponent may request the City waive park dedication.

Member Housh introduced and moved adoption of Resolution No. 2010-61, approving a final development plan for the Colonial Church site at 6200 Colonial Way, based upon the following findings:

- 1. The final development plan is consistent with the High Density Residential guiding of the property. The 139-unit assisted living facility is high density.**
- 2. The final development plan meets the following goals of the Comprehensive Plan:**

- a. Promote increased housing opportunities and a diversity of housing types by promoting the creative and innovative use of land designated for residential/commercial mixed-use while complementing the character of existing development and promoting transit use and other mobility alternatives.
 - b. Seek to accommodate the total projected 1,500 new households projected to locate in the City by the year 2030.
 - c. Promote a vision of community that is inclusive of a wide range of ages, incomes, and abilities and offers a wide range of housing options for Edina's residents. This broad vision of community is a cornerstone to promoting workforce housing that includes a wide range of housing prices and options, based on the principle that those who contribute to the community should have the opportunity to live here. Also, this housing vision strengthens and reinvigorates community institutions and makes the City an attractive destination for young families.
 - d. Increase the appeal of Edina's housing stock in order to attract new residents and retain current residents.
 - e. Promote lifecycle housing to support a range of housing options that meet people's preferences and circumstances at all stages of life.
 - f. Acknowledge the interrelationship between land use and transportation, and support the expansion of existing transportation infrastructure-capacity through wise land use.
 - g. Facilitate the development of new housing and recreation facilities that accommodate the special needs of aging City residents.
 - h. Encourage infill/redevelopment opportunities that optimize use of City infrastructure and that complement area, neighborhood, and/or corridor context and character.
3. The final development plan is consistent with the preliminary development plan and contains the City Council imposed conditions.
 4. The project approved by the final development plan will not be detrimental to surrounding properties. The property is bounded on the south by Highway 62, on the north by a City park, on the east by the fire station, and on the west by townhomes. The project location provides a reasonable transition between a major arterial roadway, a City park, and an R-1 residential neighborhood. The scale and mass of the project will be of limited impact to the single family neighborhood by virtue of distance.
 5. The project approved by the final development plan is consistent with the high density guiding of the property and will not result in an overly intensive land use.
 6. The project approved by the final development plan will not result in undue traffic congestion of traffic hazards. The existing roadways will handle the trips generated by the project. Both the RLK and WSB engineering firms determined that the existing roadway system will support the project. The potential traffic impacts are concentrated near a major arterial roadway, Highway 62.
 7. The project approved by the final development plan provides a proper relationship between the proposed improvements, existing structures, open spaces, and natural features.

Approvals subject to the following conditions:

1. The site must be developed and maintained in conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped May 28, 2010
 - Grading plan date stamped May 28, 2010
 - Landscape plan date stamped May 28, 2010
 - Building elevations date stamped May 28, 2010

- Building materials board as presented at the Planning Commission and City Council meeting
- 2. Prior to any development, the site must be subdivided and platted as a separate lot.
- 3. The following must be submitted to the City before a building permit is issued:
 - a. A copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the District's requirements.
 - b. Per Section 850.10 Subd. 3B of the City's Zoning Ordinance, a letter of credit, performance bond or cash deposit must be submitted in the amount equal to 150% of the proposed landscaping.
- 4. The property owner is responsible for replacing any required landscaping that dies.
- 5. Compliance with the conditions required by the City Engineer in his memo dated June 25, 2010.
- 6. Compliance with the conditions required by the Fire Marshal in his memo dated June 15, 2010.
- 7. All traffic mitigation measures as required by the Transportation Commission and traffic study must be followed.
- 8. Implementation of the applicant's Travel Demand Management Plan (TDM), as submitted.
- 9. Cross-easements must be established over the exterior parking lot of the senior housing project, to allow the church access to those spaces.

And Resolution No. 2010-62, adopting findings of fact for the rezoning of property to Planned Residence District-5, based upon the following findings:

- 1. The property is currently zoned Single Dwelling Unit District (R-1).
- 2. The property is guided in the City's Comprehensive Plan as High Density Residential.
- 3. The legal description of the property is set forth on the Exhibit "A" which is incorporated herein and on file in the Planning Office of Edina City Hall.
- 4. The rezoning is consistent with the City Comprehensive Plan's high density residential guiding. The rezoning will allow rest homes, convalescent homes, and nursing homes, which are all high density. The current zoning is not consistent with the guiding because it only allows single-family dwellings on 9,000 square foot lots which is low density.
- 5. The rezoning furthers the following goals and policies of the Comprehensive Plan:
 - a. Promote increased housing opportunities and a diversity of housing types by promoting the creative and innovative use of land designated for residential/commercial mixed-use while complementing the character of existing development and promoting transit use and other mobility alternatives.
 - b. Seek to accommodate the total projected 1,500 new households projected to locate in the City by the year 2030.
 - c. Promote a vision of community that is inclusive of a wide range of ages, incomes, and abilities and offers a wide range of housing options for Edina's residents. This broad vision of community is a cornerstone to promoting workforce housing that includes a wide range of housing prices and options, based on the principle that those who contribute to the community should have the opportunity to live here. Also, this housing vision strengthens and reinvigorates community institutions and makes the City an attractive destination for young families.
 - d. Increase the appeal of Edina's housing stock in order to attract new residents and retain current residents.
 - e. Promote lifecycle housing to support a range of housing options that meet people's preferences and circumstances at all stages of life.
 - f. Acknowledge the interrelationship between land use and transportation, and support the expansion of existing transportation infrastructure-capacity through wise land use.

- g. Facilitate the development of new housing and recreation facilities that accommodate the special needs of aging City residents.
 - h. Encourage infill/redevelopment opportunities that optimize use of City infrastructure and that complement area, neighborhood, and/or corridor context and character.
6. The rezoning is compatible with present and future land uses in the area. The property is bounded on the south by Highway 62, on the north by a City park, on the east by a fire station, and on the west by townhomes. The property being rezoned provides a reasonable transition between a major arterial roadway, a City park, and an R-1 residential neighborhood. The scale and mass of development allowed by the rezoning will be of limited impact to the single-family neighborhood by virtue of distance.
7. The proposed housing fits Edina's demographics. According to the 2000 census, 22.7% of Edina's population is age 65 or older. Many of these residents continue to live in single-family homes. The proposed housing development offers an opportunity for these residents to move out of their single-family home and remain in Edina, resulting in an opportunity for a young family to move into the vacated single-family homes.
8. The existing roadways will handle the trips generated by the rezoning. Both the RLK and WSB engineering firms determined that the existing roadway system could support the proposed rezoning. Potential traffic impacts will be concentrated near a major arterial roadway, Highway 62.

And Second Reading of Ordinance No. 850-A-34, amending section 850 of the Edina city code rezoning property to Planned Residence District-5. Member Swenson seconded the motion.

It was noted that when the Comprehensive Plan Amendment was approved, all five Council members had initially voted in favor on the ground that this was an appropriate location for the use. Concern had been stated about the proposed project's mass, not location. However, immediately following the vote one Council member reconsidered her position, moved for reconsideration, and voted against amendment of the Comprehensive Plan.

Member Bennett stated that she had continued to study and reflect and determined that the key issue was the need to uphold the Comprehensive Plan and zoning. She recalled that the community has just spent two years updating the Comprehensive Plan and had not identified this area as one of potential change but had identified intergenerational neighborhood (with smaller scale facilities) as a goal. She would like the City to develop principles and models that could be used in all Edina neighborhoods, and this was not that model.

Member Brindle felt this type of facility was needed and noted that rezoning would be required no matter where it was placed. However, she preferred a location where such a project would thrive, closer to amenities, with a bustling first floor, and senior housing above.

Members in support noted the site was well located with complementary assets and a significant distance from traditional neighbors. It was noted that a walkable location, such as at 44th and France, was not available and the City needed to look at Edina as a whole, to assure future sustainability by meeting the needs of a changing community. Members in support indicated analysis had not found any impact to property values or the neighborhood as a result of this type of project, and Edina had to provide housing options for all of its citizens, including its high number of seniors per capita.

Rollcall:

Ayes: Housh, Swenson, Hovland

Nay: Bennett, Brindle
Motion carried.

***AWARD OF BID – SOIL RETENTION TIE-BACK SYSTEM FOR BRAEMAR WEST ARENA BLEACHERS**

Motion made by Member Brindle and seconded by Member Housh awarding the bid for soil retention tie-back system for Braemar West Arena bleachers to the recommended low bidder, Atlas Foundation Company at \$46,930.00.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID – TRACK LOADER – EDINA PARK MAINTENANCE DEPARTMENT**

Motion made by Member Brindle and seconded by Member Housh awarding the bid for track loader, Edina Park Maintenance Department, to the recommended low bidder, St. Joseph Equipment, Inc. at \$27,184.00.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID – INDOOR SWEEPER FOR PUBLIC WORKS BUILDING**

Motion made by Member Brindle and seconded by Member Housh awarding the bid for indoor sweeper for Public Works Facility to the recommended low bidder, Tennant Sales & Service Company at \$36,604.14.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID – WEST 44TH STREET MILL AND OVERLAY– BROOKSIDE AVENUE TO BROOKSIDE**

TERRACE, IMPROVEMENT NO. BA-379 Motion made by Member Brindle and seconded by Member Housh awarding the bid for West 44th Street mill and overlay, Brookside Avenue to Brookside Terrace, Improvement No. BA-379 to the recommended low bidder, Northwest Asphalt, Inc. at \$40,977.50.

Motion carried on rollcall vote – five ayes.

AWARD OF BID – EDINBOROUGH PARK BATHROOM ADDITION

Mr. Hughes noted this item was removed from the consent agenda because it was over budget. He noted last year, the first bids were over budget, and the project was redesigned. However, the second bids were only lower by \$2,500. Edinborough Park Manager Kattreh advised there was currently only one restroom at this facility, located on the other side of the park, causing difficulties and complaints from patrons. Ms. Kattreh reported an additional restroom nearer to the play structure was the number one request of customers at Edinborough. **Member Housh made a motion, seconded by Member Swenson, awarding the bid for Edinborough Park bathroom addition to the recommended low bidder, Jan Lasserud Construction at \$96,250.00.**

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

ORDINANCE NO. 2010-11 GRANTED FIRST READING – AMENDING EDINA CITY CODE CONCERNING BOARDS AND COMMISSIONS

Mr. Hughes stated the ordinance would increase student appointments from the current one member per commission, some of whom were voting members; to two non-voting members per commission. The Council agreed the language should be revised so the number of adult members on commissions would not be decreased. **Member Swenson made a motion, seconded by Member Brindle, to grant First Reading of Ordinance No. 2010-11, amending the City Code concerning appointment of students to boards, commissions and committees, and directing staff to revise language so adult membership would not be decreased.**

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Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

***RESOLUTION NO. 2010-59 ADOPTED – AUTHORIZING FACSIMILE SIGNATURES** Motion made by Member Brindle and seconded by Member Housh to adopt Resolution No. 2010-59, authorizing use of facsimile signatures by public officials.

Motion carried on rollcall vote – five ayes.

***RESOLUTION NO. 2010-60 ADOPTED – AUTHORIZING INVESTMENT AGREEMENTS** Motion made by Member Brindle and seconded by Member Housh to adopt Resolution No. 2010-60, authorizing investment agreement.

Motion carried on rollcall vote – five ayes.

***SUMMARY PUBLICATION OF ORDINANCE NO. 2010-08 APPROVED** Motion made by Member Brindle and seconded by Member Housh to approve the publication of the summary of Ordinance No. 2010-08, amending section 850 of the Edina City Code adding a building height overlay district.

Motion carried on rollcall vote – five ayes.

RESOLUTION NO. 2010-58 ADOPTED – ACCEPTING VARIOUS DONATIONS Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations. **Member Swenson introduced and moved adoption of Resolution No. 2010-58 accepting various donations.** Member Housh seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

***EHS HOCKEY ALUMNI DONATION TO BRAEMAR WEST ARENA ACCEPTED** Motion made by Member Brindle and seconded by Member Housh to accept the Edina High School hockey alumni's donation to purchase and install a tribute to former Edina High School hockey coach Willard Ikola at Braemar West arena upper level corridor.

Motion carried on rollcall vote – five ayes.

STUDENT MEMBERS TO BOARDS, COMMISSIONS & COMMITTEES APPOINTED The Council thanked Members Bennett and Brindle for their work to make these recommendations. It was noted that 25 applications were received and 23 students were interviewed, not all from Edina High School. The recommendation would place seniors and those with strong demonstrated interest in the area of appointment. **Member Bennett made a motion, seconded by Member Swenson, ratifying student appointments to one year terms, beginning September of 2010, as follows:** **Art Center Board:** Maria DePesa (senior) and Thea Zerbe (junior); **Energy & Environment Commission:** Karwehn Kata (senior) and Alma Pronove (junior); **Community Health Committee:** John Beuerlein (senior) and Francesca Sifferlin (BSM senior); **Heritage Preservation Board:** Katherine McLellan (senior) and Lauren Thorson (senior); **Human Rights & Relations Commission:** Zack Antar (senior) and Daria Brosius (senior); **Park Board:** Austin Dummer (senior) and Felix Pronove (senior); **Planning Commission:** Tara Mohtadi (sophomore) and Matt Rock (junior); and, **Transportation Commission:** Sarah Engebretson (senior) and Bodhe Scheerer (senior).

Ayes: Bennett, Brindle, Housh, Swenson, Hovland
Motion carried.

***TRAFFIC SAFETY REPORT OF JULY 7, 2010 ACCEPTED** Motion made by Member Brindle and seconded by Member Housh to accept the Traffic Safety Report of July 7, 2010, as submitted.

Motion carried on rollcall vote – five ayes.

RESOLUTION NO. 2010-64 ADOPTED – AUTHORIZING CONDEMNATION OF LAND FOR SIDEWALK PURPOSES – FRANCE AVENUE SIDEWALK IMPROVEMENT NO. S-101 The Council discussed the project and asked questions of Mr. Houle. Attorney Knutson advised that the issue of the fence and required variance would be discussed at the August 2, 2010, work session. Mr. Houle stated that staff intends to continue negotiations in an effort to reach a settlement, but this resolution would authorize condemnation for a temporary construction easement. **Member Swenson introduced and moved adoption of Resolution No. 2010-64, authorizing condemnation of land for public purposes.** Member Brindle seconded the motion.

Ayes: Bennett, Brindle, Housh, Swenson, Hovland
Motion carried.

PARK CENTRUM RENAMED “HUGHES PAVILION” Mayor Hovland explained the Council determined it would like to honor Gordon Hughes for his service to the community and to rename Park Centrum to “Hughes Pavilion.” It was noted that precedent existed for this action in the naming of “Warren C. Hyde Clubhouse” in honor of Edina’s first City Manager and “Rosland Park” after the retirement of City Manager Ken Rosland in 1998. **Mayor Hovland made a motion, seconded by Member Housh, approving the renaming of Park Centrum at Centennial Lakes Park to “Hughes Pavilion” in honor of retiring City Manager Gordon L. Hughes.**

Ayes: Bennett, Brindle, Housh, Swenson, Hovland
Motion carried.

Mr. Hughes stated this was as an honor and deeply appreciated.

COMMUNITY COMMENT

No one appeared to comment.

***CONFIRMATION OF CLAIMS PAID** Motion made by Member Brindle and seconded by Member Housh approving payment of the following claims as shown in detail on the Check Register dated July 8, 2010, and consisting of 29 pages: General Fund \$155,394.45; Communications Fund \$1,272.47; Working Capital Fund \$14,138.99; Equipment Replacement Fund \$140.01; Art Center Fund \$3,043.49; Golf Dome Fund \$1,201.28; Aquatic Center Fund \$13,384.05; Golf Course Fund \$32,349.66; Ice Arena Fund \$24,708.08; Edinborough/Centennial Lakes Fund \$26,501.48; Liquor Fund \$245,470.43; Utility Fund \$27,942.73; Storm Sewer Fund \$266.71; PSTF Agency Fund \$16,347.45; **TOTAL \$562,161.28** and for approval of payment of claims dated July 15, 2010, and consisting of 32 pages: General Fund \$101,283.68; Communications Fund \$4,729.90; Police Special Revenue \$6,250.00; Working Capital Fund \$135,256.67; Equipment Replacement Fund \$1,178.00; Art Center Fund \$7,442.10; Golf Dome Fund \$32.03; Aquatic Center Fund \$7,153.01; Golf Course Fund \$23,303.37; Ice Arena Fund \$133,144.90; Edinborough/Centennial Lakes Fund \$3,829.30; Liquor Fund \$165,027.81; Utility Fund \$405,752.10; Storm Sewer Fund \$47,106.84; Recycling Fund \$37,683.00; PSTF Agency Fund \$1,766.95; **TOTAL \$1,080,939.66**; and, Credit Card Transactions dated May 26, 2010 – June 25, 2010; **TOTAL \$8,249.17.**

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Motion carried on rollcall vote – five ayes.

GORDON HUGHES ACKNOWLEDGED The Council members recognized this was Mr. Hughes' last meeting as the City's Manager and stated their thanks for his outstanding service. The Council and staff gave Mr. Hughes a standing ovation.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 12:09 a.m. July 21, 2010.

Respectfully submitted,

Debra A. Mangel, City Clerk

Minutes approved by Edina City Council, August 2, 2010.

James B. Hovland, Mayor

Video Copy of the July 20, 2010, meeting available.